



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,360	11/20/2003	Mitsuhiro Fukuda	KOT-0084	9510
23413	7590	07/24/2006	EXAMINER	
CANTOR COLBURN, LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			THOMPSON, CAMIE S	
			ART UNIT	PAPER NUMBER
			1774	
DATE MAILED: 07/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/718,360	Applicant(s) FUKUDA ET AL.	
	Examiner Camie S. Thompson	Art Unit 1774	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2006.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-11 and 13-17 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 5-11 and 13-17 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 1774

DETAILED ACTION

1. Applicant's amendment and accompanying remarks filed May 9, 2006 have been acknowledged.
2. Examiner acknowledges amended claims 6-9.
3. Examiner acknowledges newly added claim 17.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

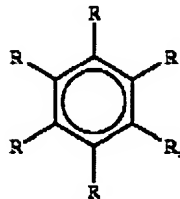
A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 5-11 and 13-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Thoms et al., U.S. Pre Grant Publication 2003/0205696.

Thoms discloses a guest-host system emissive system used in organic light emitting devices.

Paragraph 0012 of the reference discloses that the host is a carbazole based compound having a structure



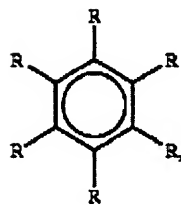
, wherein at least two R are carbazole or substituted carbazole (see paragraph 0061). At least two includes that there can be three R substituents. When there are three R's that

Art Unit: 1774

are substituted on the 2-, 3- and 6- position, there is no n-fold axis of symmetry. Thoms also discloses that the guest emissive material can be tris(2-phenylpyridine)iridium as per instant claims 1 and 9-11 (see paragraph 0015). The reference reads on the instant claims when at least one substituted carbazole has different substituents from that of another substituted carbazole. For example the substituted carbazole at the 2-position can have alkyl substituents whereas the carbazole at the 3- and 6-position have no substituents.

Response to Arguments

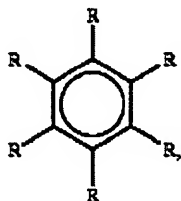
6. Applicant's arguments filed May 9, 2006 have been fully considered but they are not persuasive. Applicant argues that the Thoms reference does not clearly and unequivocally discloses the claimed composition in that the Thoms structure does not have an n-fold axis of symmetry. Thoms discloses a carbazole compound with the structure



wherein at least two R's can be substituted or unsubstituted carbazole. At least two includes three substituents. Although Thoms does not explicitly disclose that the carbazole host compound does not have to have an n-fold axis of symmetry, the reference does include carbazole compounds that do not have an n-fold axis of symmetry. Additionally, applicant argues that the Thoms reference refers to an infinite number of carbazole based compounds. Applicant's instant claims include an infinite number of carbazole-based compounds in that the instant claims recite that Cz represents a substituted or unsubstituted carbazole residue, which is

Art Unit: 1774

generic and would encompass a great number of compounds as well. Applicant also argues that the Thoms reference does not read on the newly added claim 17 when R is a group other than carbazole. Newly added claim 17 recites that A represents a substituted or unsubstituted aromatic ring residue. Newly added claim 17 does not require A to be substituted. The Thoms reference reads on newly added claim 17 when L is a single bond and Cz is a carbazole residue and the



structure is unsubstituted other than where A-(Z)_n where n is 3 to 6. Applicant's argument is not persuasive.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Camie S. Thompson whose telephone number is (571) 272-1530. The examiner can normally be reached on Monday through Friday from 7:30 am to 4:00 pm. If

Art Unit: 1774

attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena L Dye, can be reached at (571) 272-3186. The fax phone number for the Group is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


RENA DYE
SUPERVISORY PATENT EXAMINER
A.U. 1774 9/18/06